

Holly C. Wallace
502-540-2309
holly.wallace@dinslaw.com

RECEIVED

OCT 26 2005

MUSIC SERVICE

October 26, 2005

VIA HAND DELIVERY

Hon. Beth O'Donnell
Executive Director
Public Service Commission
211 Sower Blvd.
P. O. Box 615
Frankfort, KY 40601

Re: Joint Petition for Arbitration of an Interconnection Agreement with BellSouth Telecommunications, Inc. Pursuant to Section 252(b) of the Communications Act of 1934, as Amended; Docket No. PSC 2004-00044

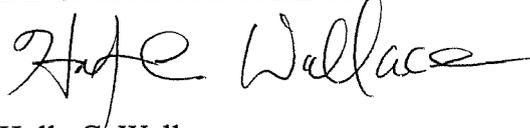
Dear Ms. O'Donnell:

Enclosed for filing in the above-styled case is the original and ten copies of the Joint Motion for Extension of Time to File Interconnection Agreement.

Thank you, and if you have any questions, please call me.

Very truly yours,

DINSMORE & SHOHL LLP



Holly C. Wallace

HCW/rk
Enclosure
103069v5
32138/1

**BEFORE THE
KENTUCKY PUBLIC SERVICE COMMISSION**

In the Matter of:)
)
Joint Petition for Arbitration of NewSouth)
Communications Corp., NuVox Communications,)
Inc., KMC Telecom V, Inc., KMC Telecom III)
LLC, and Xspedius Communications, LLC on) Case No. 2004-00044
Behalf of Its Operating Subsidiaries Xspedius)
Management Co. Switched Services, LLC)
Xspedius Management Co. of Lexington, LLC and)
Xspedius Management Co. of Louisville, LLC)

**JOINT MOTION FOR EXTENSION OF TIME TO FILE
INTERCONNECTION AGREEMENT**

NewSouth Communications Corp., NuVox Communications, Inc., and Xspedius Communications, LLC, on behalf of its operating subsidiaries Xspedius Management Co. Switched Services LLC, Xspedius Management Co. of Lexington, LLC and Xspedius Management Co. of Louisville, LLC (collectively the "Joint Petitioners"), and BellSouth Telecommunications, Inc. ("BellSouth"), jointly move the Kentucky Public Service Commission (the "Commission") to extend the deadline for filing the interconnection agreement in the above-referenced case from October 26, 2005 until 30 days after the Commission rules on the pending petitions for reconsideration. In support of their motion, the parties state as follows.

On September 26, 2005 the Commission issued an order in the above-referenced case regarding the outstanding issues in the arbitration. The order required the parties to file their interconnection agreement no later than October 26, 2005. The Joint Petitioners filed a petition for reconsideration on October 17, 2005, and BellSouth filed a petition for reconsideration on

October 18, 2005. Pursuant to KRS 278.400, the Commission has twenty days to act on the petitions. Thus, the Commission has until November 7, 2005 to decide both parties' petitions.¹

The content of the interconnection agreement is dependent in part on the Commission's resolution of the arbitrated issues. That resolution is not yet final given the pending petitions for reconsideration. Accordingly, it is not in the interest of administrative economy for the parties to file, and the Commission to review, the interconnection agreement until after the Commission has ruled on the parties' petitions for reconsideration. Therefore, the Joint Petitioners and BellSouth respectfully request that the Commission extend the deadline for filing the interconnection agreement until 30 days after the Commission rules on the parties' petitions for reconsideration. By filing this motion for extension neither party waives the right to seek additional time to file a compliant agreement to take into account the Commission's rulings in the Generic Proceeding for those issues previously in the arbitration relating to the TRRO that the Commission moved to the Generic Proceeding for consideration and resolution.

Respectfully submitted,

Cheryl R Winn/by permission hew

Dorothy J. Chambers
Cheryl R. Winn
BellSouth Telecommunications, Inc.
P.O. Box 32140
601 W. Chestnut St., Rm. 407
Louisville, KY 40232-2410
(502) 582-8219

and

John E. Selent

John E. Selent
Holly C. Wallace
DINSMORE & SHOHL LLP
1400 PNC Plaza
500 W. Jefferson St.
Louisville, Kentucky 40202
(502) 540-2300

and

¹ Although BellSouth filed its petition one day later than the Joint Petitioners, the Commission has until November 7, 2005 to rule on both petitions because the Commission's deadline to decide the Joint Petitioners' petition fell on Sunday, November 6, 2005.

James Meza III
Robert Culpepper
Suite 3400, BellSouth Center
675 W. Peachtree Street, N.E.
Atlanta, Ga. 30375
**Counsel to BellSouth
Telecommunications, Inc.**

104702v1

John J. Heitmann
Garret R. Hargrave
Heather T. Hendrickson
KELLY DRYE & WARREN LLP
1200 19th Street, N.W., Suite 500
Washington DC 20036
Tel: (202) 955-9600
Counsel to Joint Petitioners